



# City of Los Banos

At the Crossroads of California

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Updated 11/1/2019

## AGENDA

### CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

**NOVEMBER 6, 2019**

*If you require special assistance to attend or participate in this meeting, please call the City Clerk's Office @ (209) 827-7000 at least 48 hours prior to the meeting.*

*The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.*

*Si requiere asistencia especial para atender o participar en esta junta por favor llame a la oficina de la Secretaria de la ciudad al (209) 827-7000 a lo menos de 48 horas previas de la junta.*

*La Ciudad de Los Banos cumple con la Acta de Americanos con Deshabilidad (ADA) de 1990.*

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at [www.losbanos.org](http://www.losbanos.org).*

*Cualquier escritura o los documentos proporcionaron a una mayoría del Ayuntamiento respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina de la Secretaria de la ciudad en City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la ciudad en [www.losbanos.org](http://www.losbanos.org).*

1. CALL TO ORDER. **7:00 PM**
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: (City Council Members)  
Faria \_\_\_\_, Johnson-Santos \_\_\_\_, Jones \_\_\_\_, Lewis \_\_\_\_, Villalta \_\_\_\_
4. CONSIDERATION OF APPROVAL OF AGENDA.
5. PRESENTATIONS.
  - A. Proclamation – Cancer Awareness.
  - B. Recognition of Entry Awards from the VFW Post 2487 and American Legion Post 166 Veterans Day Parade.

6. PUBLIC FORUM. (Members of the public may address the City Council Members on any item of public interest that is within the jurisdiction of the City Council; includes agenda and non-agenda items. No action will be taken on non-agenda items. Speakers are limited to a five (5) minute presentation. Detailed guidelines are posted on the Council Chamber informational table.)
  
7. CONSIDERATION OF APPROVAL OF CONSENT AGENDA. (Items on the Consent Agenda are considered to be routine and will be voted on in one motion unless removed from the Consent Agenda by a City Council Member.)
  - A. Check Register for #218328 – #218868 in the Amount of \$2,634,773.16.  
*Recommendation: Approve the check register as submitted.*
  
  - B. First Quarter Investment Report for Fiscal Year 2019/2020.  
*Recommendation: Accept the report as submitted.*
  
  - C. Minutes for the September 18, 2019 City Council Meeting.  
*Recommendation: Approve the minutes as submitted.*
  
  - D. Minutes for the October 2, 2019 City Council Meeting.  
*Recommendation: Approve the minutes as submitted.*
  
  - E. City Council Resolution No. 6140 – Amending the 2019-2020 Fiscal Year Budget and Approving the Increase of Expenditures in the Amount of \$45,331.33 and Revenues in the Amount of \$43,331.33, Related to the Replacement of a Totaled Police Vehicle, to be Reimbursed by McLarens Insurance Firm and the Central San Joaquin Valley Risk Management Authority.  
*Recommendation: Adopt the resolution as submitted.*
  
  - F. City Council Resolution No. 6141 – Authorizing the City Manager to Enter into Measure V Regional Project Funding Agreement for the Pacheco Boulevard (SR 152) Regional Path Project Between the City of Los Banos and Merced County Association of Governments (MCAG).  
*Recommendation: Adopt the resolution as submitted.*
  
  - G. City Council Resolution No. 6142 – Authorizing the City Manager to Enter into Measure V Regional Project Funding Agreement for the Pioneer Road Widening Project Between the City of Los Banos and Merced County Association of Governments (MCAG).  
*Recommendation: Adopt the resolution as submitted.*
  
  - H. City Council Resolution No. 6143 – Accepting Public Improvements for Shaunessy Village Phases 1, 2 & 3, Generally Located Within the Area Bounded by APN 083-130-042 to the North, Highway 165 (Mercey Springs

Road) and APNs 083-100-009, 083-100-008 and 083-100-007 to the West, Scripps Drive to the South, and College Greens Subdivision to the East, More Specifically Identified as APNs 083-100-005 and 083-100-006 (Developer: Stonewood Home, Inc.).

*Recommendation: Adopt the resolution as submitted.*

- I. City Council Resolution No. 6144 – Approving and Adopting Final Tract Map No. 2001-02 Mission Village South Phase 3C and Accompanying Subdivision Improvement Agreement, Generally Located Within the Area Bounded by Mission Village South Phase 3B to the North, Las Palmas Road to the East, Willmott Road to the South, and APN 428-280-002 to the West, More Specifically Identified as APN 428-280-010 (Applicant: Stonefield Home, Inc., a California Corporation).

*Recommendation: Adopt the resolution as submitted.*

- J. City Council Resolution No. 6145 – Approving and Adopting Final Tract Map No. 2016-02 East Center Phase 2A and Accompanying Subdivision Improvement Agreement, Generally Located within the Area Bounded by Center Avenue to the West, Future Easter Center Phase 3 to the South, East Center Phase 1 Subdivision to the East, More Specifically Identified as APN 431-270-005 (Developer: Pioneer Development Company, Inc.).

*Recommendation: Adopt the resolution as submitted.*

- K. City Council Resolution No. 6146 – Approving and Adopting Final Tract Map No. 2017-01 Stonecreek at Los Banos the Villages Phase VII Phase 1B Unit 1 and Accompanying Subdivision Improvement Agreement, Generally Located within the Area Bounded by Villages VII Phase 1 Unit 1 to the North, Future Villages VII Phase 1B Unit 2 to the South and East, and Merced County APN 430-060-002 to the West, More Specifically Identified as Lot D APN 430-060-032 (Applicant: Anderson Homes, a California Corporation).

*Recommendation: Adopt the resolution as submitted.*

- L. City Council Resolution No. 6147 – Awarding the Bid for the Purchase of One New 2019-2020 Model Cab and Chassis; Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Fresno Truck Center in the Amount of \$108,884.21.

*Recommendation: Adopt the resolution as submitted.*

- M. City Council Resolution No. 6148 – Awarding the Bid for the Purchase of One New 2019-2020 Model Cab and Chassis with 240 Hooklift System; Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Fresno Truck Center in the Amount of \$141,834.37.

*Recommendation: Adopt the resolution as submitted.*

- N. City Council Resolution No. 6149 – Awarding the Bid for the Purchase of One New 2019-2020 Model Medium Duty Utility Truck with Lift Gate #A;

Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Santos Ford in the Amount of \$47,995.00.

*Recommendation: Adopt the resolution as submitted.*

- O. City Council Resolution No. 6150 – Awarding the Bid for the Purchase of One New 2019-2020 Model Medium Duty Utility Truck with Lift Gate #B; Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Santos Ford in the Amount of \$47,995.00.

*Recommendation: Adopt the resolution as submitted.*

- P. City Council Resolution No. 6151 – Awarding the Bid for the Purchase of One New 2019-2020 Model Medium Duty Utility Truck with Lift Gate #C; Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Santos Ford in the Amount of \$47,995.00.

*Recommendation: Adopt the resolution as submitted.*

- Q. City Council Resolution No. 6152 – Awarding the Bid for the Purchase of One New 2019-2020 Crack Seal Machine; Authorizes the Public Works Director/City Engineer to Issue the Purchase Order to Dispensing Technology Corporation in the Amount of \$93,481.24.

*Recommendation: Adopt the resolution as submitted.*

- R. City Council Resolution No. 6153 – Authorizing Award of Construction Contract to Precision Grade, Inc. in the Amount of \$52,439.00 with a 10% Contingency in the Amount of \$5,243.00 for 7<sup>th</sup> Street Ball Park Restroom.

*Recommendation: Adopt the resolution as submitted.*

- S. City Council Resolution No. 6154 – Authorizing Award of Construction Contract to TBS Contractors in the Amount of \$198,630.00 with a 10% Contingency in the Amount of \$19,863.00 for the “Congestion Mitigation and Air Quality – Construction Infill Sidewalk Improvements” (Federal-Aid Project No. CML-5160(027)) at Various Locations in the City of Los Banos.

*Recommendation: Adopt the resolution as submitted.*

- T. City Council Resolution No. 6155 – Amending the 2019/2020 Fiscal Year Budget and Approving the Increase in Expenditures of Measure H Funding in the Amount of \$40,000; Related to the Purchase and Upfitting of a New Code Enforcement Vehicle.

*Recommendation: Adopt the resolution as submitted.*

8. PUBLIC HEARING. (If you challenge the proposed action as described herein in court, you may be limited to raising only those issues you or someone else raised at the public hearing described herein or in written correspondence delivered to the City at, or prior to, the public hearing.)

A. Public Hearing – To Receive Public Comment and Consideration of an Ordinance to Amend and Restate Article 34, Chapter 3 of Title 9 of the Los Banos Municipal Code Regarding Density Bonuses and other Affordable Housing Development Incentives.

- 1) Ordinance No. 1175 – Amending and Restating Article 34 Chapter 3 of Title 9 of the Los Banos Municipal Code Regarding Density Bonuses and Other Affordable Housing Development Incentives.

**(Second Reading & Adoption)**

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the ordinance as submitted.*

B. Public Hearing – To Receive Public Comment and Consideration of a Conditional Use Permit #2019-03 to Allow for the Sale of Alcohol Under a Type 41 On-Sale Beer and Wine License for a Bona-Fide Public Eating Place Located at 1101 F Street; APN: 025-152-009 (Applicant: John C. Bustillos).

- 1) City Council Resolution No. 6156 – Finding the Proposed Project to be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15332, In-Fill Development Projects and Approving Conditional Use Permit #2019-03 to Allow for the Sale of Alcohol Under a Type 41 On-Sale Beer and Wine License at 1101 F Street, APN:025-152-009.

*Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.*

9. CONSIDERATION OF ORDINANCE NO. 1176 – AMENDING TITLE 2 CHAPTER 2 ARTICLE 2 OF THE LOS BANOS MUNICIPAL CODE TO CREATE PLANNING COMMISSION DISTRICTS; AMEND THE NUMBER OF MEMBERS AND MANNER OF APPOINTMENT; LENGTH OF TERMS; AND ABSENCES.

**(Second Reading & Adoption)**

*Recommendation: Receive staff report and adopt the ordinance as submitted.*

10. NOTICE AND ANNOUNCEMENT OF VACANCIES AND APPOINTMENT OF COUNCIL MEMBERS TO SERVE ON THE SELECTION COMMITTEES FOR THE FOLLOWING COMMISSIONS/COMMITTEES:

- A. Airport Advisory Commission – Four (4) Vacancies  
Two (2) Two (2) Year Terms – Expiring December 31, 2021  
Two (2) Unexpired Terms – Expiring December 31, 2020
- B. Economic Development Advisory Commission – Three (3) Vacancies  
One (1) Two (2) Year Terms – Expiring December 31, 2021  
Two (2) Unexpired Terms – Expiring December 31, 2020
- C. Parks & Recreation Commission – Two (2) Vacancies  
Two (2) Two (2) Year Terms – Expiring December 31, 2021

- D. Tree Commission – Three (3) Vacancies  
Three (3) Two (2) Year Terms – Expiring December 31, 2021
- E. Measure H Committee – Two (2) Vacancies  
Two (2) Two (2) Year Terms – Expiring December 31, 2021
- F. Measure P Committee – Three (3) Vacancies  
Three (3) Three (3) Year Terms – Expiring December 31, 2022

*Recommendation: Appoint Council Member(s) to serve with the Mayor on the Selection Committee(s) for each.*

- 11. CONSIDERATION OF APPROVAL TO ADVERTISE FOR EMERGENCY PLANNING COMMISSION VACANCY(S).

*Recommendation: Receive staff report and direction from the City Council on how to proceed.*

- 12. CONSIDERATION OF FUNDING OPTIONS FOR PIONEER ROAD WIDENING PROJECT.

*Recommendation: Receive staff report and direction from the City Council on how to proceed.*

- 13. CONSIDERATION OF APPROVAL OF CITY COUNCIL RESOLUTION NO. 6157 – REQUESTING THAT \$5,000,000 OF STATE TRANSPORTATION IMPROVEMENT PROGRAM CARRYOVER REGIONAL IMPROVEMENT FUNDS REMAIN AS UNPROGRAMMED AND AVAILABLE FOR THE PIONEER ROAD WIDENING PROJECT.

*Recommendation: Receive staff report and adopt the resolution as submitted.*

- 14. ADVISEMENT OF PUBLIC NOTICES. (No Report.)

- 15. CITY MANAGER REPORT.

- 16. REPORT/UPDATE ON MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG) AND MEASURE V COMMITTEE.

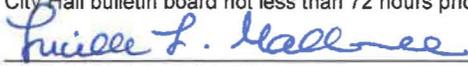
*Recommendation: Informational item only, no action to be taken.*

- 17. CITY COUNCIL MEMBER REPORTS.

- A. Deborah Lewis
- B. Tom Faria
- C. Daronica Johnson-Santos
- D. Brett Jones
- E. Mayor Mike Villalta

18. ADJOURNMENT.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.



Lucille L. Mallonee, City Clerk

Dated this 1<sup>st</sup> day of November 2019